



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 22-06-2026**

CORAM

**THE HON'BLE MR JUSTICE M. NIRMAL KUMAR**

**CRL OP No. 15697 of 2026**

**and CrI.M.P.Nos.10249 & 10307 of 2026**

Thirumurugadinesh  
S/o. Late. Arunachalam,  
No.16-1, Balaji Nagar,  
2nd Street, Kangayampalayam Pudur,  
Tiruppur-641 604.

..Petitioner(s)

Vs

1. State Rep. by its  
The Sub Inspector of Police,  
South Police Station,  
Cr. No.363/2021.  
Tiruppur District.
2. Gunasekaran  
The Sub Inspector of Police,  
South Police Station,  
Cr.No.363/2021.  
Tiruppur District.

..Respondent(s)

Criminal Original Petition is filed under Section 582 BNSS to call for the records and quash the proceedings as against the petitioner in S.T.C. No.3578 of 2023, now pending before the Judicial Magistrate, Court No. II, Tiruppur and pass such further or other orders as this Honorable Court.

For Petitioner(s):

R. Pushpalatha

For Respondent(s):

A.Amarnath

Counsel for Govt. of Tamil Nadu for R1



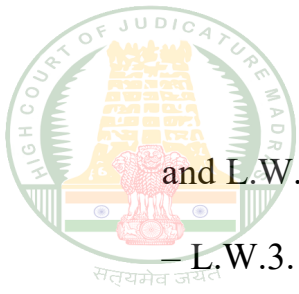
## **ORDER**

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The petitioner / accused facing trial in S.T.C.No.3578 of 2023 filed for the offences punishable under Section 4AA(1a) and 4AA(4) of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959, had filed this quash petition.

2. The case against the petitioner is that on 01.04.2021 at about 02.00 a.m. the second respondent who was in patrol duty near Velan Hotel at Kangeyam Road, Tiruppur, found the petitioner pasting the political party posters without any permission thereby violating the Election Code of Conduct. Hence the case.

3. The learned counsel for the petitioner submitted that the complainant is the Sub-Inspector of Police, South Police Station, Tiruppur, who had registered a case on 01.04.2021 and on the same day investigation was completed and final report was filed. In this case, the complainant and the Investigating Officer are one and the same. He further submitted that though it has been claimed that the petitioner was found pasting political party posters by violating the rules, there is no seizure of any posters or preparation of Mahazar or even photographs to show that the petitioner was in possession of any posters and he was pasting the same. There are totally three witnesses in this case and L.W.1

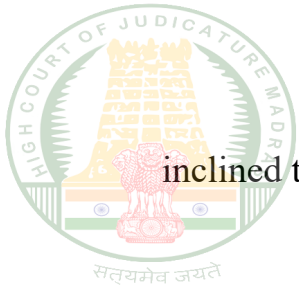


and L.W.2 are Grade -I Constables who are along with the Investigating Officer

—L.W.3. All the witnesses only speak about the presence of the petitioner in the main road at about 2.00 a.m. and nothing more. No public place was disfigured and there was no complaint from any public and even no materials have been produced to substantiate the same.

4. The learned Counsel for Govt. of Tamil Nadu submitted that when the respondent police was on patrol duty, they found the petitioner pasting the political party posters in public place thereby causing disfigurement of the public places and committing the offence. He was caught red handed in the presence of L.W.1 and L.W.2, taken to police station and thereafter, he was let-out on bail. In this case, investigation has been completed and charge sheet has been filed.

5. Considering the submissions and upon perusal of the materials, it is seen that in this case the informant and the Investigating Officer are one and the same. The case was registered on 01.04.2021 at about 02.00 a.m. and on the same day charge sheet has also been filed. L.W.1 and L.W.2 are the police constables who accompanied the Investigating Officer. No public has given any complaint and there is no seizure or materials to substantiate that the petitioner had pasted posters by causing disfigurement of public places and thereby committing the offence as alleged by the prosecution. Hence, this Court is



inclined to quash the charge sheet filed against the petitioner.

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6. In view of the above, this Criminal Original Petition is allowed and the case in S.T.C. No.3578 of 2023, pending on the file of the learned Judicial Magistrate, Court No. II, Tiruppur, is hereby quashed. Connected miscellaneous petitions are closed.

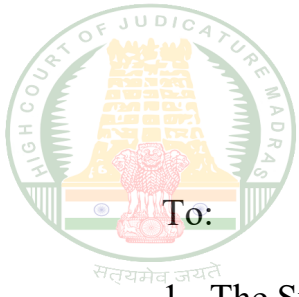
**22-06-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

BKN



To:

1. The Sub Inspector of Police,  
South Police Station,  
Cr. No.363/2021.  
Tiruppur District.
2. Judicial Magistrate, Court No. II, Tiruppur.



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**M.NIRMAL KUMAR, J.**

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**CRL OP No. 15697 of 2026**

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